

## BOARD OF ADJUSTMENT MINUTES

The Brevard County Board of Adjustment met in regular session at 1:30 p.m. on Wednesday, December 21, 2022, in the Commission Room, Building C, Brevard County Government Center, 2725 Judge Fran Jamieson Way, Viera, Florida, with Chair Bill Huffman presiding, to consider the requests below:

Board members present were: Chelsea Partridge, (D1. Alt.); Kevin McCann, (D2); Dale Rhodes (D3); and Bill Huffman, Chair, (D5).

Staff members present were: Becky Behl-Hill, Assistant County Attorney; Jeffrey Ball, Planning & Zoning Manager; Paul Body, Planner III; and Jennifer Jones, Special Projects Coordinator.

Bill Huffman called the meeting to order at 1:30 p.m.

Paul Body explained the function of the Board of Adjustment; Dale Rhodes explained the definition of an undue hardship; and Bill Huffman explained the procedures of the Board of Adjustment. All speakers were sworn in at the beginning of each item.

### **Approval of November 16, 2022, Minutes**

Motion by Dale Rhodes, seconded by Jack Higgins, to approve the November 16, 2022, minutes. The motion passed unanimously.

### **Brian Keith Shropshire (Aaron Lyons)**

Variations from Chapter 62, Article VI, Brevard County Code, as follows: 1.) Section 62-2109(a), to permit a variance of 2 ft. over the maximum 6-ft. allowed for a fence; 2.) Section 62-2109(c), to permit a variance of 2 ft. over the maximum 4-ft. height allowed for a fence within the front setback, in an RU-1-7 (Single-Family Residential) zoning classification. The property is 0.23 acres, located on the south side of Brandon St., approx. 475 ft. west of Todd Ave. (5635 Brandon St., Cocoa) (22V00002) (Tax Account 2304639) (District 1)

Aaron Lyons, Lacy Lyons Rezanka Law Firm, 6023 Farcenda Place, Melbourne, stated one point of clarification is that the request is not to build a wall, which has been a point of confusion from the beginning of the application process. He explained the proposed design is a panel structure that looks like a wall but is otherwise constructed like a fence. He noted for purposes of the variance request, his client is looking for a height variance for the reasons specified in the application. [He distributed a handout to the board and to staff. The handout can be found in file 22V00002, located in the Planning & Development Department.] He stated the special conditions or circumstances that exist primarily arise because of the age of Mr. Shropshire's house, specifically, the Hundred Acre Woods development that is directly behind and on the sides of his lot was woods when he first bought his house. As the woods were deforested the green buffer was taken away in terms of privacy and with respect to sound. When the three houses in Hundred Acre Woods were built, they were significantly higher, and when looking at pictures of 6930, 6920, and 6910 Hundred Acre Woods, the entirety of the house is above the neighbors' 6-foot fence. He said the photos submitted demonstrate not just the height or the elevation differential in the adjoining lots, but also that the minimum requested variance of 2 feet completely brings his privacy fence up to the point where a typical privacy fence would be so that he can't look directly into the neighbor's pool, and the neighbors can't look directly into his house from its higher position. He said it would be a benefit for not only Mr. Shropshire, but also for his neighbors. Regarding special circumstances and conditions, these are subsequent things that happened around Mr. Shropshire, he didn't cause them. He said he is not aware of any of the neighbors that complained or lodged a concern about having a privacy fence of an extra 2 feet on three sides, and a 6-foot fence in the front of Mr. Shropshire's house; it's a benefit to them just as it's a benefit to Mr. Shropshire. He stated the house is very close to I-95, very close to train tracks, and

very close to schools; and when the deforestation and development of Hundred Acre Woods happened, all of that sound and noise became much greater, and a higher fence would buffer all of that noise for everybody. He reiterated it is not a block wall, they are panels similar to wood panels on a wooden fence, but he would like to keep that issue off the table. He stated the pictures he submitted show what is viewable around Mr. Shropshire's house in terms of what is visible now versus what would be visible were he permitted to have these variances.

Brian Shropshire, 5635 Brandon St., Cocoa, stated the proposed fence is for privacy and noise. He said houses next to him seem to be elevated higher, so if he's able to see them, they are able to see him in his yard, and he wants privacy. He noted I-95 is getting louder and he's tried to contact the proper channels but he's been told FDOT is in charge of the highway.

Chelsea Partridge asked if the plan for concrete panel structure has been communicated with any neighbors so that they have opportunity to object or support something that looks like that, versus a fence.

Mr. Lyons replied no, but the variance is not for the type of structure being used. The type of structure will be part of the permit process, and if permitting says no, it is 100% not a fence and it is a wall, they will just build a regular wood fence. He reiterated he would like to keep that issue separate from the height issue, which are the two variances being requested.

Ms. Partridge asked if the proposed fence height has been communicated with any neighbors. She stated it would stand taller than the neighboring fences adjoining in the back and on the sides.

Mr. Shropshire replied he has not talked to any of his neighbors. He stated a couple of neighbors came to him and said they were not opposed to it.

Dale Rhodes asked if a sign for the variances has been posted on his property. Mr. Shropshire replied yes, it is posted by the mailbox.

Mr. Rhodes asked the purpose for needing a 6-foot fence in the front. Mr. Shropshire replied it is for noise from I-95 and to be a cohesive drop from the fence on the sides.

Mr. Rhodes stated Mr. Shropshire's house is a minimum of 10 houses from I-95, plus the green area. He said if he was right up against I-95 he would understand doing whatever he can, but being that far away from I-95, he doesn't see how 2 more feet is going to stop any noise coming from that direction.

Mr. Shropshire noted there have been several homes that have recently been built between his house and I-95, removing the green buffer.

Mr. Rhodes stated he understands, but there are at least 10 homes between him and I-95 that are blocking sound. He said his second concern is if the board allows a 6-foot fence in the front, then that could hamper neighbors backing out of their driveways from seeing traffic coming down the street.

Mr. Lyons stated it is a 15-foot setback.

Mr. Rhodes stated regardless, a 6-foot fence will block people from seeing people walking down the street, or driving down the street, and that becomes a problem, because a 6-foot fence in the front

would create a line of sight problem. He said when it is time for a motion, he would like to ask that the board vote on the two variances separately, because he believes a fence in the front is a health and safety issue.

Kevin McCann asked if Mr. Shropshire has the addresses of homes in the neighborhood at which there are 8-foot fences. Mr. Shropshire replied no.

Mr. McCann asked if there are homes in the neighborhood with 6-foot fences in the front. Mr. Lyons replied no.

No public comment.

Mr. Lyons summarized that he believes he's addressed each of the points of the undue hardship definition. He said the variance for the fence in the back is by far the most important, but in particular, it is not only uniquely needed for Mr. Shropshire because of his elevation, but it is a benefit to the other neighbors as well, and it will add to the consistency of the neighborhood. As it is right now, one of the things not mentioned, but also important, is because of the really unique privacy issues, where literally three neighbors look down on and in Mr. Shropshire's property and he has to look at people from the knees-up at their pools, and that impacts the value of his property, but it can be remedied with the 2-foot variance, at least on the back and sides.

Motion by Chelsea Partridge, seconded by Dale Rhodes, to separate the variance requests. The motion passed unanimously.

Motion by Chelsea Partridge, seconded by Kevin McCann, to approve variance #1 as depicted on the survey provided by the applicant.

Dale Rhodes stated 2 feet isn't going to make a difference on sound, especially as far away as he is from I-95. He said if the fence is already at knee-height at 6 feet, 2 more feet will still be waist-height and it would be out of harmony with other fences in the area.

Jeffrey Ball stated the way that the code is written, the description between a wall and a fence are two different things. He said the board's motion should be for a wall, because if not, there is a very high potential for this to be re-heard because the board is making a motion for a fence when the construction clearly is not defined as meeting a fence. He suggested the board distinguish in its motion that it is called a wall because the code says there are four materials that can be used for a fence: wood, metal, ornamental iron, and PVC. The applicant is proposing a pre-cast concrete fence.

Mr. Rhodes asked if the request is for a wall instead of a fence, in addition to the 2 feet. Mr. Ball replied a variance is not needed for the wall. It's purely a height variance, but when they are getting a variance for a wall versus a variance for a fence, it is two different things.

Chelsea Partridge amended her motion to approve Variance #1 for a wall 2 feet over the 6 feet allowed, as depicted on the survey provided by the applicant.

Kevin McCann seconded the amended motion.

Mr. Rhodes stated with it being a wall, it is definitely out of harmony with the rest of the area because all the pictures provided are of a wood fence, and not this type of wall.

Ms. Partridge stated she has concerns that it would make it look more commercial than residential, even though it is along the back, it would be an odd thing if it is standing taller than the adjacent structures.

Bill Huffman read aloud the six criteria for a hardship.

Mr. Huffman called for a vote on the amended motion for Variance #1 as stated and it failed unanimously; therefore, Variance #1 is denied.

Motion by Chelsea Partridge, seconded by Kevin McCann, to approve Variance #2, as depicted on the survey provided by the applicant. The motion to approve Variance #2 as depicted on the survey provided by the applicant failed unanimously; therefore, Variance # 2 is denied.

**David Mojica (Matthew Slate)**

Variances of Chapter 62, Article VI, Brevard County Code, as follows: 1.) Section 62-2100.5(1)(d), to permit a variance of 1,350 sq. ft. over the 600 sq. ft. allowed for an accessory structure; 2.) Section 62-2100.5(1)(b), to permit a variance of 743.3 sq. ft. over the 1,519.1 sq. ft. allowed for all accessory structures, in an RU-1-9 (Single-Family Residential) zoning classification. The property is 0.85 acres, located on the west side of Michigan St., approx. 367 ft. south of Miami Ave. (2180 Michigan St., Melbourne) (22V00036) (Tax Account 2801089) (District 5)

David Mojica, 2180 Michigan St., Melbourne, stated the requested variances are for a large structure in order to be able to house cars. He said the size of his house limits him on the size of structure he can have, and since he owns 9 to 12 cars, having them outside all the time wears on them and they start to deteriorate. The structure will be to store them and keep them from deteriorating, making them easier to build and maintain.

Bill Huffman stated he drove through the neighborhood and was unable to find another structure in the area similar in size to the one being proposed. He stated in the Hardship Worksheet provided with the application, the applicant mentioned there are other properties in the area that have similar structures.

Mr. Mojica stated on New York Street there is a 30-foot x 50-foot structure for trucks and an airboat. Also on New York Street is a 3 or 4-bay shop behind a house. He stated most of the houses that are on one acre have a decent size shop/structure on it, similar to the one he is proposing.

Mr. Huffman asked the outside dimension of the proposed structure. Mr. Mojica replied it is 30 feet x 65 feet. He noted the two neighbors next to him on each side are in favor of the building. Mr. Huffman asked if Mr. Mojica has any letters from them. Mr. Mojica replied no, he does not.

Dale Rhodes asked if Mr. Mojica has considered an offsite facility. Mr. Mojica replied he had a shop off of Ellis Road for almost three years but it became very expensive and time consuming.

Mr. Rhodes asked how many cars Mr. Mojica has on the property. Mr. Mojica replied 9 to 11.

Mr. Rhodes asked the code requirement for how many cars can be on a property. Paul Body replied if vehicles are stored outside they have to be in working order, licensed, and enclosed.

Mr. Rhodes asked Mr. Mojica if all of his cars are licensed. Mr. Mojica replied no, and that is why he would like to put them in a building.

Mr. Rhodes stated his biggest concern is that the request is 125% above code, and that's a considerable amount. He said he has concerns about it at this point and he is not in favor of it.

Kevin McCann asked the size of Mr. Mojica's house. Mr. Body replied the square footage of living area is 759.8 square feet; and the total house, including the carport, screen enclosure, and utility room is 1,519.1 square feet.

Mr. McCann asked if each accessory structure is required to be 600 square feet or less. Mr. Body replied yes, he's allowed 600 square feet for an accessory structure or 50% of the living area, whichever is greater.

Mr. McCann asked if multiple accessory structures can total up to 1,519 square feet. Mr. Body replied yes, the total amount of all of his accessory structures cannot add to more than the total of the house, and that is why he is asking for two different variances: one for being over the 600 square feet, and one for being the total amount of all of the accessory structures over the total of the house

Mr. McCann asked Mr. Mojica if he has considered building more than one structure to be able to accommodate his needs and also comply with the code. Mr. Mojica replied yes, but he thinks one structure would look better than having multiple structures.

Jeffrey Ball noted there are two existing accessory structures and his zoning classification only allows for a total of three, so he couldn't build two more accessory structures.

Mr. Rhodes asked Mr. Mojica if he has considered taking down one of the existing structures. Mr. Mojica replied one of them is a lawn shed and the other is concrete structure that was built to be an outside grill area, but he would consider tearing one of them down in order to have one larger building.

Mr. Rhodes stated if he took one of them down he would still be able to build two additional buildings, but maybe not to the size he is requesting.

Mr. Body clarified he could have two, 600 square-foot buildings. All of his accessory structures could not be more than the total of his house; each structure is limited to 600 square feet because of the living area of the house.

Mr. Mojica stated he prefers to have one building.

Mr. Rhodes stated it might be easier to ask for a variance on three buildings where he is asking for 100 square feet more than it is; whereas now, he is asking for 125% more than what code allows.

Mr. Body stated he could have three, 506 square-foot buildings without a variance. The largest he can build is 600 square feet; he can't have more than 1,519 square feet total, so he could have three, 500 square-foot buildings without a variance.

Public comment.

Ronald Smith, 2185 Michigan Street, Melbourne, stated 30 years ago he wanted to build a 730 square-foot garage, but was told the largest building he could have was 600 square feet. He said Mr. Mojica's issue is that he is bringing it all on himself with the vehicles. Some of his vehicles are sitting on the ground; there is an old school bus and an old motor home; and if he built a building twice the size of the one he is proposing, it would not be big enough.

Mr. Rhodes asked Mr. Smith if he would have a problem if Mr. Mojica built three, 500 square-foot buildings. Mr. Smith replied yes, he should go by what the zoning would allow. Mr. Rhodes stated the code will allow him to build three, 500 square-foot buildings. Mr. Smith stated he would not like that either.

Megan Curan, 2180 Michigan Street, Melbourne, stated she lives on the subject property and the cars are actually getting re-built, and if they are on the ground it is because they are getting tires switched out, or they are waiting on parts. She said the school bus is being remodeled it to make it a tiny house. The vehicles on the property are being used for parts for the cars, or they get flipped and taken off the property. There are 7 or 8 cars that will permanently be kept in the shop to keep them from getting destroyed by the sun. She stated the person who wrote the objection letter has multiple structures in their yard, which are tents.

Mr. Mojica stated he understands it takes a while to build cars; he's had some of them for 12 years, but he's not scrapping anything, and he's never going to have a commercial shop. He has a full time job, and working on cars is his hobby.

Motion by Kevin McCann, seconded by Bill Huffman, to approve the variances as depicted on the survey provided by the applicant.

Mr. McCann stated there are neighbors who are in opposition, which he takes into consideration. He said he thinks there are some suitable solutions by altering the request, but the square footage of the total accessory structure coverage of the property isn't much more than what he's permitted, even though it is one building versus three buildings.

Mr. Rhodes stated his biggest concern is that he heard the word 'flipping' which means a car is re-built and sold, which makes it a business use. He said he also heard that some of the cars are being used as parts, so there are cars that are not licensed or registered sitting on a property being used to take parts from it and put on other cars to sell. He said he is not in favor for those reasons and the fact that it is 125% over what code allows. If he is doing the work commercially, then he needs a commercial building in a commercial location.

Chelsea Partridge stated she understands the request, but she thinks there are other options that can be considered that are within the zoning regulations, and she is against the request.

Bill Huffman read aloud the six criteria for a hardship.

Bill Huffman called for a vote on the motion as stated, and it failed unanimously; therefore, the variances are denied.

**Ronald Benjamin and Victoria Driggers**

A variance of Chapter 62, Article VI, Brevard County Code, Section 62-2118(d)(3), to permit a variance of 4 ft. over the maximum 14-ft. projection (20% the width of the waterway) for a boat dock, in an RU-1-11 (Single-Family Residential) zoning classification. The property is 0.23 acres, located on the south side of Sea Shell Dr., approx. 815 ft. east of N. Banana River Dr. (1705 Sea Shell Dr., Merritt Island) (22V00039) (Tax Account 2432737) (District 2)

Paul Body stated for clarification, there was a courtesy notice mailed out for a 500-foot radius, as opposed to the normal 200-foot radius. The two objection letters are from property owners outside of the 200-foot radius.

Ron Driggers, 1705 Sea Shell Drive, Merritt Island, stated he is asking for a 4-foot variance, so instead of a 14-foot dock projection, it will be an 18-foot projection. [Mr. Driggers provided a handout to the board. The handout can be found in file 22V00039 located in the Planning & Development Department.] He explained the bulkhead and the property line were not aligned when he purchased the property. The proposed dock will not project into the waterway any more than the existing structures on the north side of the canal, and will be in line with his neighbor's dock to the west. He said navigation will not be impacted in any way, and more than 35 feet of canal will remain, which will allow two typical-sized boats to pass without problem. It is a short, dead-end canal, and it is rare that two boats will pass at his location. He stated literal enforcement would deprive him of the size and style of dock commonly enjoyed by other properties along the canal.

Kevin McCann stated he visited the property, and he was able to walk onto the next door neighbor's dock and look left and right, and that dock does not protrude out more than any other dock. He said the proposed dock would be the same distance out from the seawall. The 14 feet of dock that he wants to build would be sufficient if the seawall was at the property line, but because the seawall is 4 feet outside of the property line, he needs the variance. He said he is comfortable with the request.

Dale Rhodes asked if the seawall is further out than the other properties. Mr. McCann replied no, the seawall was built beyond the original seawalls to maintain the integrity of the property and not take a seawall out and replace it. His property has at least one seawall that is covered up under the ground, and that is probably where the property line would be. The seawall he has now is 4 feet from the property line, which is consistent with the neighborhood.

Public comment.

Sheryl Jorgensen, 1625 Sea Shell Drive, Merritt Island, stated the request is that the dock cannot project more than 20% the width of the waterway, but the width of the waterway has gotten smaller, and as people replace their seawalls it can be another foot or two more into the waterway. She said she is in the process of selling her house to people who have a big boat, and she's concerned that if this is allowed, then that would be a precedent that other people would be allowed to make wider docks, and if they park their boat on the outside of the dock at any time, boats cannot get in.

Mr. Body explained that the canal is platted at 70 feet, so the distance measured for the projection is measured off of the property line; the seawalls have been built into the waterway, so the actual water distance is going to be less than 70 feet.

Mr. McCann stated the board considers variances on a case-by-case basis, and in this case the board is looking at their circumstances.

Catherine Patrice Roseland, 1635 Sea Shell Drive, Merritt Island, stated she is also concerned that a precedent will be set if the variance is approved.

Jim Dorr, 1700 Coquina Drive, Merritt Island, stated he understands the concerns, but the dock is not going out any further than the other docks. The problem is that the property line is 4 feet in from the waterway. He could not build a dock if it started from the property line, but it is 4 feet from it, so his dock will be exactly the same as everyone else's dock. He said he lives across the canal from Mr. Driggers and it would impact him if he were building 4 feet into the water, but that is not what he is doing, and all of the docks will be in line.

Motion by Kevin McCann, seconded by Chelsea Partridge, to approve the variance as depicted on the survey provided by the applicant.

Bill Huffman read aloud the six criteria for a hardship and explained the justifications for approving the variances.

Bill Huffman called for a vote on the motion as stated, and it passed unanimously.

**Daniel Nastyn** (Jerry Knerr)

A variance of Chapter 62, Article VI, Brevard County Code, Section 62-2123(a), to permit a variance to allow a swimming pool to be located forward of the front building line of the principal structure, in a SEU (Suburban Estate Use Residential) zoning classification. The property is 1.01 acres, located on the west side of S. Carpenter Rd., approx. 0.19 mile south of Pinetop Blvd. (1220 S. Carpenter Rd., Titusville) (22V00041) (Tax Account 2202666) (District 1)

Jerry Knerr, 1220 South Carpenter Road, Titusville, stated he is a contractor for Mr. Nastyn, but not a pool contractor. He said Mr. Nastyn cannot put a pool anywhere else on the property because of the placement of the septic system. That part of Carpenter Road curves and all of the houses that sit on Carpenter Road face the road straight, but at that part the road the houses sit somewhat crooked, so the corner of the house faces the road. One of the problems with putting a pool in the back of the house is because when it rains, the adjoining property to the south has elevation of 20 - 25 feet higher than his, so if he wanted to build it in the back where the stormwater collects, it would divert all the water to the back neighbor and flood his property. The only place he can put a pool is at the front corner of his house. He noted they have communicated with the neighbors and none of them have any issues.

Kevin McCann stated the front of the house sits diagonally, so the way the plan is, the pool itself will be behind the front face of the house, and the only part of the pool that protrudes closer to the roadway would be the small triangle at the top.

Motion by Chelsea Partridge, seconded by Dale Rhodes, to approve the variance as depicted on the survey provided by the applicant.

Bill Huffman read aloud the six criteria for a hardship and explained the justifications for approving the variances.

Mr. Huffman called for a vote on the motion as stated and passed unanimously.

**Espejo Investment Group, LLC**

Variances of Chapter 62, Article VI, Brevard County Code, as follows: 1.) Section 62-1342(4), to permit a variance of 4 ft. from the 50-ft. required lot width for the RU-1-7 (Single-Family Residential) zoning classification, currently zoned AU (Agricultural Residential); 2.) Section 62-1342(5)(a), to permit a variance of 0.5 ft. from the required 5-ft. side (south) setback for a principal structure. The property is 0.25 acres, located on the east side of Goldenrod St. approx. 125 ft. south of Victoria St. (932 Goldenrod St., Merritt Island) (22V00042) (Tax Account 2501515) (District 2)

Michael Espejo, 9241 Chelsea Drive, North Plantation, Florida, stated he bought the property for an investment and it is zoned agriculturally, so he will not be granted any permits, specifically for a fence, until it is rezoned to the RU-1-7 (Single-Family Residential) zoning classification.

No public comment.

Kevin McCann stated he drove by the property and asked if Mr. Espejo has plans to remodel the structure that is already on the property. Mr. Espejo replied yes, he plans to remodel.

Motion by Kevin McCann, seconded by Dale Rhodes, to approve the variances as depicted on the survey provided by the applicant.

Mr. McCann stated in his opinion, a commercial use would be a more appropriate zoning for the property; it is very narrow and there is not much that can be done with it.

Bill Huffman read aloud the six criteria for a hardship and explained the justifications for approving the variances.

Mr. Huffman called for a vote on the motion as stated and passed unanimously.

Bill Huffman asked if the next three items are contiguous properties. Paul Body replied yes, but they are all on different properties, and it is for a project that will combine them all. Mr. Huffman asked if they can be discussed as one, but have three separate votes. Jeffrey Ball replied yes.

**Jerlene K. Watson (Matt Williams)**

A variance of Chapter 62, Article IX, Brevard County Code, Section 62-3316(4), to permit a variance of 8 ft. from the 15-ft. front perimeter setback for a sign, in a BU-2 (Retail, Warehousing, and Wholesale Commercial) zoning classification. The property is 0.28 acres, located on the south side of E. Merritt Island Causeway, approx. 425 ft. east of Plumosa St. (475 E. Merritt Island Cswy., Merritt Island) (22V00043) (Tax Account 2427796) (District 2)

Cliff Repperger, Attorney with the White Bird Law Firm, 2101 Waverly Place, Suite 100, Melbourne, stated what is being requested is part of a comprehensive multi-parcel redeveloped commercial site. He said the request for all three items is for 8 feet from the required 15-foot front setback for freestanding signs on the south side of S.R. 520, east of Plumosa Street. The parcels are unique in that there is a substantial landscape buffer between the actual S.R. 520 right-of-way corridor and these parcels. It is approx. 35 feet in width with the sidewalk, it is a landscape buffer between the

parcel's northern boundaries and the actual pavement. Going west on S.R. 520, the landscape buffer no longer exists, so the northern lines sit closer to S.R. 520.

No public comment.

Kevin McCann stated to clarify, there is a landscape buffer from S.R. 520 to the property line, and then from the property line there is an extra 7 feet to build the sign, so the sign will be 42 feet from S.R. 520. Mr. Repperger replied that is correct.

Motion by Kevin McCann, seconded by Dale Rhodes, to approve the variance as depicted on the survey provided by the applicant.

Bill Huffman read aloud the six criteria for a hardship and explained the justifications for approving the variance requests for Items 6 - 8 on the agenda.

Bill Huffman called for a vote on the motion as stated, and it passed unanimously.

**Mike Erdman Motors, Inc. (Matt Williams)**

A variance of Chapter 62, Article IX, Brevard County Code, Section 62-3316(b)(4), to permit a variance of 8 ft. from the 15-ft. front perimeter setback for a sign, in a BU-2 (Retail, Warehousing, and Wholesale Commercial) zoning classification. The property is 0.21 acres, located on the south side of E. Merritt Island Causeway, approx. 510 ft. east of Plumosa St. (515 E. Merritt Island Cswy., Merritt Island) (22V00044) (Tax Account 2442709) (District 2)

Motion by Kevin McCann, seconded by Chelsea Partridge, to approve the variance as depicted on the survey provided by the applicant. The motion passed unanimously.

**Mike Erdman Motors, Inc. (Matt Williams)**

A variance of Chapter 62, Article IX, Brevard County Code, Section 62-3316(4), to permit a variance of 8 ft. from the 15-ft. front perimeter setback for a sign, in a BU-2 (Retail, Warehousing, and Wholesale Commercial) zoning classification. The property is 2.07 acres, located on the south side of E. Merritt Island Causeway, approx. 570 ft. east of Plumosa St. (525 E. Merritt Island Cswy., Merritt Island) (22V00045) (Tax Account 2428260) (District 2)

Motion by Kevin McCann, seconded by Chelsea Partridge, to approve the variance as depicted on the survey provided by the applicant. The motion passed unanimously.

Upon consensus, the meeting adjourned at 3:51 p.m.